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## TO:

Name: Mail Stop RCE  
Group Art Unit 3738/Examiner Thomas Barrett

Firm: U.S. Patent &amp; Trademark Office

Fax No.: 571-273-4702

Subject: U.S. Patent Application No. 10/669,287

Gary Karlin Michelson

Filed: September 24, 2003

EXPANDABLE PUSH-IN ARCUATE INTERBODY  
SPINAL FUSION IMPLANT WITH TAPERED  
CONFIGURATION DURING INSERTION

Attorney Docket No. 101.0092-02000

Customer No. 22882

Confirmation No.: 6591

## FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 33

Date: September 19, 2005

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## Message:

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Transmittal Form (in duplicate; \$1,940.00 total amount to cover the \$1,020 three-month extension fee, \$790 RCE fee, and \$130 Terminal Disclaimer fee is to be charged to Deposit Account No. 50-1068), Reply to Final Office Action, Terminal Disclaimer, and IDS with Form PTO-1449 and 2 documents are being facsimile transmitted to the U.S. Patent and Trademark Office on September 19, 2005.

  
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Attorney Docket No.: 101.0092-02000  
Customer No. 22882

SEP 19 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson

Serial No: 10/669,287

Filed: September 24, 2003

For: EXPANDABLE PUSH-IN ARCUATE  
INTERBODY SPINAL FUSION  
IMPLANT WITH TAPERED  
CONFIGURATION DURING  
INSERTION

Confirmation No.: 6591

Art Unit: 3738

Examiner: Thomas Barrett

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Request for Continued Examination and Reply to the Final Office Action dated March 17, 2005 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a three-month extension of time to respond to the above Office Action.
- ☒ Terminal Disclaimer is attached.
- ☒ Information Disclosure Statement and Form PTO-1449 with 2 documents are attached.
- ☒ The total amount of \$1,940.00 (to cover the \$1,020 three-month extension fee, \$790 RCE fee, and \$130 Terminal Disclaimer fee) is to be charged to Deposit Account No. 50-1068.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068.
- A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

Date: September 19, 2005

By:   
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